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10 *Co-Lead Counsel for Plaintiff and Class*

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 STEVEN G. CHEEHY, Individually and on  
Behalf of All Others Similarly Situated,

14 Plaintiff,

15 v.

16 EKSO BIONICS HOLDINGS, INC.,  
17 THOMAS LOOBY, and MAXIMILLIAN  
SCHEDER-BIESCHIN,

18 Defendants.  
19  
20

Case No: 3:18-cv-00212-CRB

**CLASS ACTION**

**STIPULATION AND ~~PROPOSED~~  
ORDER DISMISSING CASE**

21 Lead Plaintiff James Myers (“Myers”) and Defendants Ekso Bionics Holdings, Inc.,  
22 Thomas Looby, and Maximilian Scheder-Bieschin (“Defendants”), by and through their  
23 undersigned counsel, hereby agree and stipulate as follows:

24 **RECITALS**

25 WHEREAS, on January 10, 2018, Plaintiff Steven G. Cheehy (“Cheehy”) commenced the  
26 above-captioned action, (the “*Cheehy* Action”), against Defendants.  
27  
28

1 WHEREAS, on January 2, 2018, Rimon Bekhet (“Bekhet”) filed an action, captioned  
2 Bekhet v. Ekso Bionics Holdings, Inc., No. 1:18-cv-00001 in the United States District Court for  
3 the Eastern District of New York.

4 WHEREAS, on June 15, 2018, this Court appointed James Myers (“Myers”) as Lead  
5 Plaintiff on behalf of a putative class of purchasers of Ekso Bionics Holdings, Inc. securities.

6 WHEREAS, on August 14, 2018, Myers filed his Consolidated Amended Class Action  
7 Complaint against Defendants.

8 WHEREAS, On October 15, 2018, Defendants filed a Motion to Dismiss Lead Plaintiff’s  
9 Consolidated Amended Complaint (Dkt. No. 43);

10 NOW THEREFORE, the Parties hereby STIPULATE and AGREE as follows:

11 1. Myers will forego filing an opposition to Defendants’ Motion to Dismiss Lead  
12 Plaintiff’s Consolidated Amended Complaint.

13 2. All parties will bear their own costs and expenses relating to this Case, including  
14 attorneys’ fees.

15 3. This matter is dismissed with prejudice as to Lead Plaintiff James Myers and as to  
16 plaintiffs Bekhet and Cheehy.

17 Dated: November 29, 2018

Respectfully submitted,

18 **GLANCY PRONGAY & MURRAY LLP**

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9 Plaintiff Rimon Bekhet*

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26 *Counsel for Defendants Ekso Bionics Holdings, Inc.,  
27 Thomas Looby, and Maximillian Scheder-Bieschin*

28 Dated: November 29, 2018

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: December 4, 2018



The Honorable Charles R. Breyer  
United States District Judge